

REMARKS

Claims 1-6, 9-18, 20-22 and 32-45 are pending. Reconsideration and allowance of all of the pending claims are respectfully requested.

In the Office Action dated July 18, 2006, claim 45 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kerwin (U.S. Patent No. 4,239,570) in view of Gates et al. (U.S. Reissued Patent No. RE 29,335) and Tsai (U.S. Patent No. 6,516,854). Applicants respectfully traverse this rejection.

Independent claim 45 recites a transfer device that includes, *inter alia*, a supply roll rotatably mounted to the housing and operatively connected to a first gear, and a take-up roll rotatably mounted to the housing and operatively connected to a second gear. As recited by claim 45, the first and second gears are coupled so that rotation of the first gear causes rotation of the second gear and vice-versa.

Applicants respectfully submit that a *prima facie* case of obviousness has not been made by the Examiner. First, the combination of Kerwin, Gates et al., and Tsai does not disclose or suggest all of the features of claim 45. Second, there would be no motivation to combine Gates et al. and Tsai with Kerwin in the manner proposed by the Examiner.

Kerwin discloses a machine for transferring indicia to tapered articles at a high rate of speed. *See* Kerwin at Abstract. The belt 71 is driven by the main machine drive. *See* Kerwin at col. 3, lns. 28-31. The take-up spindle (122) of Kerwin is also driven so that a constant tension is applied to the web (15). *See* Kerwin at col. 4, lns. 58-60. Kerwin teaches how to time the rate of speed of the articles and the indicia so that one indicia is applied to each article. *See* Kerwin at col. 6, lns. 9-68. As conceded by the Examiner, Kerwin does not disclose a supply roll and a take-up roll being connected through gears, as recited by claim 45.

Gates et al. discloses a magnetic patch attaching apparatus (10) that includes a supply reel (26) for a tape roll (18) that is rotatably mounted to a shaft (30). *See* Gates et al. at col. 2, lns. 34-42; FIG. 1. The apparatus also includes a magnetic patch attacher wheel (76) that is rotatably mounted on a shaft (74), *see* Gates et al. at col. 3, lns. 47-49, a sprocket drive wheel (50) that interacts with the tape (24) and is rotatably mounted to a shaft (51), *see* Gates et al. at col. 2, ln. 65 – col. 3, ln. 5; FIG. 1, and hand crank (96) that is connected to a shaft (98). *See* Gates et al. at col. 4, lns. 18-21. The hand crank is operatively connected to the attacher

wheel (76) and the sprocket drive wheel (50) via a gear assembly (116). *See* Gates et al. at col. 4, lns. 38-66; FIG. 2. None of the gears in the gear assembly (116) are operatively connected to the supply reel (26). Instead, the supply reel (26) rotates when the tape 24 is pulled from the roll (18) via the sprocket drive wheel (50). *See* Gates et al. at FIG. 1.

Tsai discloses an automatic label sticking device (100) that includes a paper feeding reel (21) and a recycling reel (22). *See* Tsai at col. 2, lns. 39-57; FIG. 4. A driving device (29) is connected to a main roller (27) via a belt (291) and drives rotation of the main roller (27). *See* Tsai at col. 3, lns. 20-24; FIG. 3. The main roller (27) and a secondary roller (28) are in contact with opposite sides of blank paper (221) so as to form an indirect transmission. *See* Tsai at col. 3, lns. 14-19; FIG. 2. The secondary roller (28) is connected to the recycling reel (22) via a belt (282) so to cause the recycling reel (22) to take-up the blank paper (221). *See* Tsai at col. 3, lns. 27-31; FIG. 3. None of the belts are operatively connected to the paper feeding reel (21). Instead, the paper feeding reel (21) rotates when the paper (212) is pulled from the reel (21) via rotation of the rollers (27, 28) and the recycling reel (22). *See* Tsai at FIGs. 2 and 3.

Accordingly, even if Kerwin, Gates et al., and Tsai are combined, the combination does not disclose or suggest all of the features of claim 45. In each of these references, the take-up roll (or sprocket drive wheel in Gates et al.) is either electrically or mechanically driven, and rotation of the supply roll is caused by the tension in and the movement of the tape or paper away from the supply roll. None of these references discloses that the supply roll is driven. Moreover, none of these references, either alone or in combination, discloses or remotely suggests a supply roll being operatively connected to a first gear, a take-up roll being operatively connected to a second gear, and the first and second gears being coupled so that rotation of the first gear causes rotation of the second gear and vice-versa, as recited by claim 45.

Moreover, Applicants respectfully submit that there is no motivation to combine the three references in the manner that the Examiner has proposed. Each of the references teach specific arrangements for moving film or paper from a supply roll into contact with another substrate, and then moving the remaining film or paper away from the substrate. There is no reason to provide the gear assembly of Gates et al. that is driven by a hand crank, or the belts of Tsai, to the apparatus of Kerwin, which provides for electric drives to drive the belt and the take-up roll, as discussed above.

Accordingly, Applicants respectfully submit that claim 45 is patentable over Kerwin in view of Gates et al. and Tsai, and respectfully request that the rejection to claim 45 be withdrawn.

Applicants acknowledge with appreciation the Examiner's indication that claims 1-6, 9-18, 20-22, and 32-44 are allowed. However, in view of the foregoing, Applicants respectfully submit that all of the pending claims are allowable.

All rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited. If any point remains in issue which the Examiner feels may be best resolved through a personal or telephone interview, please contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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Date: September 18, 2006  
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